

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

KENNETH PARKS and WILLIAM SEYMOUR, On
Behalf Of Themselves And All Others Similarly Situated,

Plaintiffs,

v.

FAIRFAX FINANCIAL HOLDINGS LTD., *et al.*

Defendants.

Master File No. 06-CV-2820 (GBD)

ECF Case

**NOTICE OF MOTION TO ALTER OR AMEND THE JUDGMENT
DATED MARCH 30, 2010 DISMISSING THE ENTIRE CASE
FOR LACK OF SUBJECT MATTER JURISDICTION**

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PLEASE TAKE NOTICE THAT pursuant to Fed. R. Civ. P. 59(e), CI Funds, the withdrawn Lead Plaintiff in this action,¹ together with the proposed Lead Plaintiffs, Ontario Provincial Council of Carpenters Pension Trust Fund and Plumbers, Pipefitters & MES Local Union No. 392 Pension Fund, respectfully move this Court before the Honorable George B. Daniels, at the United States District Court of the Southern District of New York, 500 Pearl Street, New York, New York, and at a date and time to be determined by the Court, to alter or amend the judgment dated March 30, 2010 dismissing the entire case for lack of subject matter jurisdiction, based on the Court's Memorandum Decision and Order dated March 29, 2010.

This Motion is supported by the following documents submitted herewith:

- (a) Memorandum Of Law In Support Of Plaintiffs' Motion To Alter Or Amend The Judgment Dated March 30, 2010 Dismissing The Entire Case For Lack Of Subject Matter Jurisdiction; and
- (b) a Proposed Order.

DATED: April 27, 2010

GRANT & EISENHOFER P.A.

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¹ The former lead plaintiffs, referred to herein as "CI Funds," are: CI Canadian Small/Mid Cap Fund; CI Canadian Asset Allocation Fund; CI Canadian Investment Fund; CI Canadian Investment Corporate Class; Synergy Canadian Style Management Corporate Class; Synergy Tactical Asset Allocation Fund; Skylon High Yield Trust; High Yield & Mortgage Plus Fund; DDJ High Yield Fund; and DDJ U.S. High Yield Trust.

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